

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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J.L., Individually and on Behalf of and as Parent  
of J.R., a Student with a Disability,

**NOTICE OF MOTION**

Plaintiff,

Docket No.  
15-CV-1200 (CBA) (RER)

- against -

NEW YORK CITY DEPARTMENT  
OF EDUCATION,

ECF Case

Defendant.

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PLEASE TAKE NOTICE that upon the record of the administrative proceedings below, and Plaintiff's Memorandum of Law, Plaintiff will move this Court before District Judge, the Honorable Carol Bagley Amon, and Magistrate Judge, the Honorable Ramon E. Reyes, Jr., at the United States Courthouse, located at 225 Cadman Plaza East, Brooklyn, New York, for an Order:

1. Receiving the record of the administrative proceedings below;
2. Granting summary judgment in favor of Plaintiff;
3. Entering judgment declaring that (a) the New York City Department of Education ("DOE") failed to offer J.R. a free appropriate public education within the meaning of the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") for the 2012–2013 school year; (b) the Mary McDowell Friends School ("Mary McDowell") was an appropriate placement for J.R. for the 2012–2013 school year; and (c) equitable considerations support an award of direct, retroactive tuition funding for J.R.'s placement at Mary McDowell for the 2012–2013 school year;

4. Entering judgment vacating and annulling SRO decision No. 13-065 to the extent that it found that Defendant DOE offered J.R. a FAPE for the 2012–2013 school year;
5. Ordering Defendant DOE to issue payment to Mary McDowell for J.R.’s tuition for the 2012–2013 school year, in the amount of \$71,808.00; and
6. Granting such other and further relief as the Court deems just and proper.

Dated: New York, New York  
July 31, 2015

/s/ Thomas Gray  
THOMAS GRAY  
PARTNERSHIP FOR CHILDREN’S RIGHTS  
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To:

Clerk of the Court  
United States District Court for the Eastern District of New York

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